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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,211	06/26/2003	Michael Weirich	01P21904	3740
24252	7590	08/24/2004	EXAMINER	
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			TRAN, CHUC	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,211

Applicant(s)

WEIRICH, MICHAEL

Examiner

Chuc D Tran

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 2 and 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim. Claim 6 can not depend on claim 2 because not further limit of parent claim so that claim 6 can be depended on claim 5. See MPEP § 608.01(n). Accordingly, the claim 6 not been further treated on the merits.

2. Claims 9 and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In claims 9 and 10 claimed a discharge lamp having a supply circuit as claimed in claim 1 does not constitute a further limitation of the parent claim.

3. Claims 3, 6, 8-9 and 10 are objected to because of the following informalities:

Claim 3, line 2, "which is" (a power factor correction circuit) change to - - comprising - -;

Claim 6, line 3, "an" (oscillator) change to - - the - -;

Claim 8; line 2, "an" (amplifier) change to - - the - -;

Claim 8, line 4, "an" (oscillator) change to - - the - -;

Claims 9 and 10, line 1, "an electronic ballast" change to - - the supply circuit - -.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2821

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1, 3-5 and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (USP. 6,222,746).

Regarding claims 1, 9 and 10, Kim disclose a supply circuit (A) (Fig. 3) having a switching transistor (28) and a forcing circuit (24) for driving a control input (26) (Fig. 3) of the switching transistor (Col. 6, Line 41) and a discharge lamp (50);

- an oscillator (22) connected to the control input (26) (Fig. 3) for starting up operation the supply circuit (Col. 6, Line 39), and control the input of the switching transistor (28) (Col. 6, Line 42).

Regarding claims 3 and 4, Kim disclose that a power factor correction circuit (20) for the harmonic limited extraction of a DC voltage from an AC power system (Col. 6, Line 37).

Regarding claim 5, Kim disclose that the forcing circuit 24 is a microcontroller (Col. 6, Line 8).

Allowable Subject Matter

6. Claims 2, 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 2, 6-8, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim the oscillator circuit operates as the amplifier circuit when there is a low impedance of the input (E), on the other hand as the

Art Unit: 2821

oscillator when there is a high impedance of the input (E), and specifically comprising the limitation of a feedback (C71).

Citation of relevant prior art

Prior art Okamoto et al (USP. 6,605,906) disclose light source device.

Prior art Buonocunto (US. 20030146714) disclose electronic ballast system.


Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuc D Tran whose telephone number is (571) 272-1829. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TC
Aug 17, 2004


Don Wong
Supervisory Patent Examiner
Technology Center 2800